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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,147	03/25/2004	Anson Horton	MS302712.1/MSFTP579US	7392
27195 7590 07/31/2008 AMIN, TUROCY & CALVIN, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114				
EXAMINER				
LEE, MARINA				
ART UNIT		PAPER NUMBER		
2192				
NOTIFICATION DATE		DELIVERY MODE		
07/31/2008		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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**Advisory Action**  
**Before the Filing of an Appeal Brief**

**Application No.**

10/809,147

**Applicant(s)**

HORTON ET AL.

**Examiner**

MARINA LEE

**Art Unit**

2192

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 02 May 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.  
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: 1-23, 26 and 27.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: \_\_\_\_\_.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

/Tuan Q. Dam/  
Supervisory Patent Examiner, Art Unit 2192

Continuation of 11.

As to claim 1, Applicants allege that "Dandoy relates to a user interface debugger. Dandoy discloses a debug agent that is combined with a software application. The debug agent collects execution data relating to graphical user interfaces during runtime. The debug agent can further monitor the user interface for events. The debug agent provides execution data to a UI debugger or other debugger upon a user request. (See paragraphs 18, 21, 22, and 25). In the subject Final Office action, it is contended that the debug agent anticipates a display proxy as recited in the subject claims. Applicants' representative respectfully disagrees. The display proxy is a private nested class of an object being evaluated by the debugger. In Dandoy, the debug agent is associated with the application as a whole is a single entity that interacts with all objects of the application. (See Fig. 1). Moreover, the debug agent is combined with the application and becomes a point of entry of execution for the application. (See paragraph 21). Accordingly, Dandoy has a single debug agent associated with an entirety of an application. In the claimed subject matter, a display proxy is a private nested class of an object and, therefore, each display proxy is associated with a single object." See Remarks, page 8, ¶ 2, is not persuasive as of following:

As can be seen from the assertion above, two main points Applicants addressed:

- 1) Dandoy does not disclose "display proxy". And
- 2) Dandoy does not the limitation "a display proxy is a private nested class of an object, which implemented as a private nest class of an object", which Examiner refuses to enter because, the amended limitation has been addressed under dependent claim 7, according the amended limitation does not deemed to place the application in better form for appeal by simplifying the issues for appeal.

In response to 1) above, Examiner respectively disagrees, because in the previous Final Office Action, Examiner does not interpret "the debug agent" of Dandoy to be equivalent to "display proxy" as Applicants have argued for. Rather, as has been mentioned in the Final Rejection, the debug agent (e.g., 115) is equivalent to "an expression evaluator" since the debug agent (115) configured to collect execution data relating to the graphical user interface 105 during run-time such as object properties, events associated with objects, run-time states of the application 100 (computer software application) and/or other desired run-time data of the application 100 – See Dandoy [0025]-[0026] with emphasis added.

It is further to note that, in light of Applicants' specification, the "display proxy" is equivalent to "a runtime view of the object", such as the information necessary for a user to debug the object. In the same token, Dandoy discloses the "debug agent 115" that is capable of displaying the object of the application 100 during runtime on the user interface 105 such as selecting an object and its properties that is useful for debugging purpose– See Dandoy [0022], [0024]-[0026] with emphasis added.

In response to 2) above, Dandoy discloses "[t]he debug agent 115 can be configured to received debugging request from the UI debugger 110 and process them with the application 100 during run-time. The debug agent 115 can include logic configured to change properties of object that are generated by software application during run-time in response to debugging request from the UI debugger 110. For example, if a user wishes to hide (not allowed public to see – private) a selected window from the graphical user interface 105, a request can be entered to the UI debugger 110 which is then.... and change its properties such that window is hidden (private)" – See at least [0025] with emphasis added.

With the above quote, the debug agent 115 (expression evaluator) that help the debugger (110) and determines detail run time of an object of the computer application based on user request such as to see or to hide the object properties. It is further to note that the "run time object display/view" as mentioned earlier is equivalent to "display proxy object or display proxy". Therefore, since the debug agent 115 of Dandoy is able to hide (private)/show detail (public) of runtime object (display proxy) would be implied that the run time object of Dandoy is also implemented as private nested class that is allowing the detail object properties to be conceal from the user – See [0025]-[0026] with emphasis added.

As of the forgoing discussion above, Dandoy does anticipate the claim 1 and claim 7 recitations.

As to claim 27, Examiner note that Applicants call for similar argument as of claim 1 & 7 – See Remarks, page 8, ¶ 3, but fails to be found persuasive as of the discussion above.

As to the independent claim 21 and 26, Applicants call for similar argument as of claim 7 – See page 10, ¶ 2 of Remarks, which Examiner refuses to enter the limitation as indicate in claim 1 above and further, the limitation of claim 7, which also have been already been addressed under claim 1 (in response to 2)) above.

The remaining claims directly or indirectly depends upon the independent claims, (See Remarks, page 8, ¶3 and page 11, ¶ 2) are also fall together as Applicants relied upon rebuttal for the independent claims but fail to be found persuasive as noted above.

As of the forgoing discussion addressed above, the previous Final Rejection to the claims 1-23, 26, and 27 are maintained.